

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JANE DOE,

Plaintiff,

vs.

BOARD OF REGENTS OF THE
UNIVERSITY OF NEBRASKA, TAMIKO
STRICKMAN, and individuals, individually
and in their official capacities; JOHN ROE,
and individuals, individually and in their
official capacities; and OTHER
UNIDENTIFIED DEFENDANTS,

Defendants.

4:21CV3049

CASE PROGRESSION ORDER

IT IS ORDERED the case progression order is as follows:

- 1) The deadline for serving initial mandatory disclosures under Rule 26(a)(1) is **February 25, 2022**.
- 2) The deadline for moving to amend pleadings or add parties is **April 1, 2022**.
- 3) The deadline to file any motion to strike a party's jury demand is **May 20, 2022**.
- 4) The deadlines for identifying expert witnesses and completing expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the plaintiff: **August 18, 2022**

For the defendants: **October 21, 2022**

- 5) The deadline for completing written discovery under Rules 33, 34, 36, and 45 of the Federal Rules of Civil Procedure is **September 30, 2022**. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by **October 14, 2022**.

Note: A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge on or before the motion to compel deadline to set a conference to discuss the parties' dispute, and after being granted leave to do so by the Court.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 6) A status conference to discuss case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **October 14, 2022**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 7) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **December 30, 2022**.
- 8) The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **January 13, 2023**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 9) The deadline for filing motions to dismiss and motions for summary judgment is **February 24, 2023**.
- 10) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **February 24, 2023**.
- 11) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 12) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 7th day of February, 2022.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge